



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152

WASHINGTON, MONDAY, JANUARY 30, 2006

No. 8

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, January 31, 2006, at noon.

Senate

MONDAY, JANUARY 30, 2006

The Senate met at 10 a.m. and was called to order by the Honorable ROBERT F. BENNETT, a Senator from the State of Utah.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, to whom a thousand years are but a moment, by Your mercy we have received the gift of another day. Help us to maximize today's possibilities with humble and grateful hearts. Forgive our past faults and failures and empower us to press forward with faith toward a productive tomorrow.

Bless our lawmakers and the members of their staffs. May the words of their lips and the meditations of their hearts bring glory to You. Let not life's weariness or this world's confusion rob them of their trust in You.

Take control of our lives. Make us large of spirit, generous, and merciful. Use us to lift the fallen and remind us to bless even those who curse us. Show us the straight path and a clear way over the difficulties of today and tomorrow.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROBERT F. BENNETT led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 30, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROBERT F. BENNETT, a Senator from the State of Utah, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. BENNETT thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADERSHIP TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The Senate is available for morning business.

The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, last Thursday I submitted a statement expressing my concerns with the nomination of Judge Samuel Alito to the United States Supreme Court.

I am here today to reiterate these concerns as we move toward a final vote on this nomination.

There is no higher legal body in the United States than the Supreme Court. It is the final authority on the meaning of laws and the Constitution.

A Supreme Court Justice could serve for the life of the nominee, so the consequences of confirming a Supreme Court Justice can span decades.

The confirmation of a Supreme Court Justice is one of the most important votes a Senator will take.

With that in mind, after careful consideration, I have concluded I cannot support Judge Alito's nomination to the U.S. Supreme Court.

My first step in evaluating a nominee is to consider whether he or she is appropriately qualified and capable of handling the responsibilities of a Justice.

Looking over Judge Alito's qualifications, it is clear this minimum standard has been met. However, there are additional factors in considering a judicial nominee.

One such factor is the judicial philosophy of the nominee. Many of my colleagues argue this should have no part in the Senate's deliberations.

However, if judicial philosophy helps determine who the President chooses, the Senate should also be allowed to consider this factor when deciding whether to approve or disapprove the nominee.

This information is critical to retain the balance of power that the Framers of our Constitution envisioned.

In addition to the individual's judicial philosophy, we must also consider the cumulative effect that approving a nominee will have on the Supreme Court.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S259